

Tompkins Township Fire Ordinance

An ordinance to regulate the setting of fires, and to provide penalties for the violation thereof, and to provide a method for the collection of costs and expense to the Township caused by the setting of fires.

THE TOWNSHIP OF TOMPKINS ORDAINS:

SECTION 1. Applicability

This ordinance is adopted in the interest of public safety, and is designed to promote the general peace, health, safety and welfare of the Township of Tompkins.

SECTION 2. Permit - Hours to Burn.

This ordinance provides for the control of fires, burning of trash and rubbish, obtaining of permit, hours to set fires and the prevention of foul odors caused by burning.

SECTION 3. Permits - Where to Obtain.

No person, partnership, firm, association or corporation, shall within the limits of the Township of Tompkins, set or cause to be set, burn or cause to be burned, at any time any old building, debris from building torn down, brush, limbs or trees on any lot or parcel of ground within the Township of Tompkins unless such person shall first obtain from the chief of the fire department or a duly authorized representative at any Tompkins Township fire station, a permit for such fire or fires. (See Section 8 Domestic Fires.)

SECTION 4. Permits - Requests For.

Any person, partnership, firm, association or corporation, deciding to set or start a fire must obtain a permit from the fire chief which states the name and address of the applicant, the location of the land and premises where such fire is to be set, and the time contemplated for setting such fire. Said permit to be in accordance with Section 7, Act 143 of the Public Acts of 1923, as amended.

SECTION 5. Permits - Special

The township board of the Township of Tompkins may grant permission to authorized persons for the burning of trash, rubbish or similar waste material in open, supervised burning areas.

SECTION 6. Foul Odors.

No person shall burn garbage, animal carcasses, refuse, trash, rubbish, or like material giving off foul odors, at any time. This section applies to domestic, commercial and industrial fires.

SECTION 7. Permits - Commercial and Industrial.

No person shall set or cause to be set, burn or cause to be burned, any paper, trash, rubbish, leaves, cut grass or weeds, unless confined within a fireproof container constructed of metal or masonry with an approved spark arrestor with openings no larger than three-fourths of an inch. Hours of burning shall be from sunrise to not later than nine o'clock p.m. Burners of the metal drum or portable type shall not be located less than fifteen feet from any building or less than five feet from the adjoining property line.

Masonry or heavy metal constructed burners or incinerators shall be constructed to withstand the heat of twelve hundred degrees Fahrenheit and shall be located not less than three feet from a combustible building or property line.

Masonry or heavy metal burners or incinerators shall be constructed with or attached to a suitable stack, the top of the stack to be at least fifteen feet from the stack. All stacks are to be properly capped with approved spark arrestors.

SECTION 8. Domestic Fires.

A "domestic fire" is any fire around the home, within the curtilage of the dwelling where the material to be burned has been properly placed in a debris burner constructed of metal or masonry with an approved spark arrestor with openings no larger than three-fourths of an inch. Burners of the metal drum or portable type shall not be located less than fifteen feet from any building or less than five feet from the adjoining property line. No permit shall be required for domestic fires.

SECTION 9. Penalties.

Any person, partnership, firm, association or corporation, who shall set or start an open fire without a permit as required by this ordinance shall be deemed guilty of a misdemeanor and shall upon conviction thereof, be subject to a fine or penalty, of not less than five and 00/100 (\$5.00) dollars or more than one hundred and 00/100 (\$100.00) dollars, or by imprisonment in the county jail of Jackson County not exceeding thirty (30) days, or both such fine and imprisonment, or who sets an open fire which any other fire department, shall pay to the Township all costs and charges incurred by said Township by reason of calling the Tompkins Township Fire Department, or any other fire department. And the Township of Tompkins may sue in any court of competent jurisdiction for civil damages and may recover such costs and expenses incurred by them from any person, partnership, firm, association or corporation who sets such an open fire.

SECTION 10. Effective Date.

This ordinance shall become effective thirty (30) days from the date of publication.

This ordinance adopted by the Township Board of the Township of Tompkins on the third day of June, A.D., 1969.

By Order of the Tompkins Township Board I hereby certify that the above is a true copy of the ordinance adopted by the Township Board of the Township of Tompkins on the third day of June, A.D., 1969.

Earl Dutton,
Tompkins Township Clerk

CLERK'S CERTIFICATE

I, Melanie J. Curran, the Township Clerk of Tompkins Township, Jackson County, Michigan, do hereby certify that in pursuance of law and statute provided, state that I have located the original article in newsprint from Wednesday, June 11, 1969 where the Tompkins Township Fire Ordinance was advertised, in its entirety. Minutes of board meetings are not available earlier than September 1971. A copy of this article was recorded in the Ordinance Book in 2003, and for communication purposes the Ordinance has been retyped and is in this present format.

Dated: December , 2003

Melanie J. Curran, Clerk
Tompkins Township
